

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**DIANE SHEARS
PLAINTIFF**

vs.

No. 1:22-cv-2099
Judge LaShonda A. Hunt

**AMERICAN PUBLIC DEFENSE, INC.,
and LEWIS BROWN
DEFENDANTS**

FINAL DEFAULT JUDGMENT ORDER

Before this Court is Plaintiff's Motion for Default Judgment ("Motion") against Defendant Lewis Brown ("Defendant"), the matter having come for hearing on August 1, 2023, after notice to Mr. Brown. Mr. Brown did not appear. After reviewing all the pleadings and Plaintiff's Motion and all exhibits to Plaintiff's Motion, this Court finds and orders as follows:

1. Taking the factual allegations in Plaintiff's Complaint as true, as is appropriate on a motion for default judgment, Plaintiff has presented evidence which establishes a basis for Plaintiff's claims relating to violations of the minimum wage and overtime provisions of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (the "FLSA"), and the Illinois Minimum Wage Law, 820 ILCS 105/1, *et seq.* ("IMWL").

2. Defendant Lewis Brown is an individual and resident of Illinois and the operating employer of domestic, for-profit corporation, American Public Defense, Inc.

3. Defendant Lewis Brown employed Plaintiff as a Security Officer from July of 2021 until December of 2021.

4. Defendant determined the hours worked by Plaintiff, the manner in which she performed her job duties, and her schedule.

5. Defendant did not pay Plaintiff an overtime premium for hours worked over 40 each week.

6. Defendant also regularly fined Plaintiff for various offenses, sometimes deducting so much money from Plaintiff's paycheck that her constructive hourly rate fell below the applicable minimum wage.

7. Defendant failed to pay Plaintiff overtime, as well as proper minimum wages under the IMWL.

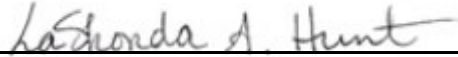
8. Plaintiff's unpaid wages equal \$8,527.69. Under the FLSA, Plaintiff is also entitled to an equal amount, \$8,527.69, as liquidated damages. Under the IMWL, Plaintiff is also entitled to \$8,874.31 in statutory premiums, as well as \$25,583.06 in statutory treble damages. Therefore, Defendant Lewis Brown is liable to Plaintiff for a total of \$51,212.75.

9. Furthermore, because Defendant Lewis Brown failed to pay Plaintiff overtime and appropriate minimum wages, as of the date of this Order, Plaintiff had accrued \$6,239.54 in reasonable attorney fees and costs. Under the FLSA, Plaintiff is entitled to an award of attorney fees and costs for having pursued her case and having been awarded damages.

10. The total amount of the judgment due to Plaintiff from Defendant Lewis Brown is \$57,452.29.

IT IS SO ORDERED.

DATED: August 15, 2023

A handwritten signature in cursive script, reading "LaShonda A. Hunt", written in black ink.

LaShonda A. Hunt
United States District Judge